

505 KAR 2:160. Communication: mail, visiting and telephone.

RELATES TO: KRS 15A.210-15A.240

STATUTORY AUTHORITY: KRS 15A.210

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.210 mandates that the Department of Juvenile Justice issue administrative regulations governing juvenile detention centers and juvenile holding facilities.

Section 1. (1) The volume of mail sent or received by a juvenile shall not be limited unless it would be detrimental to the juvenile's wellbeing or if there is evidence of criminal conduct relating to the communications. If a facility provides postage to residents, it may place a limit on the number of stamps provided to each resident. Resident mail from incarcerated individuals at other facilities or correctional institutions may be delivered, returned, or placed in the youth's possessions.

(2) The facility shall adopt and enforce written policies and procedures which:

(a) Provide that juvenile letters, both incoming and outgoing, shall not be read, unless the letter could be detrimental to the juvenile's wellbeing or there is evidence of criminal conduct relating to the letters. If correspondence is read, the youth shall be informed in advance and shall be present when the letter is opened, and the action shall be documented;

(b) Govern inspection of juvenile letters or packages for money or contraband;

(c) Require that all cash received through the mail is held for the juvenile in accordance with the procedures approved by the governing authority;

(d) Require that incoming and outgoing mail shall be held for no more than twenty-four (24) hours, and packages for no more than forty-eight (48) hours, excluding weekends and holidays;

(e) Specify that juveniles are permitted to send sealed letters to a specified class of persons and organizations, including, but not limited to: courts, counsel, officials of the confining authority, administrators of grievance systems and members of the releasing authority;

(f) Allow the facility to provide postage for the mailing of two (2) letters per week for each juvenile, if requested, excluding legal correspondence;

(g) Govern visiting and are reviewed annually and updated if needed;

(h) Provide that juvenile visitation facilities permit informal communication, including opportunity for physical contact, if possible;

(i) Specify that visitors register upon entry into the facility and the circumstances under which visitors are searched;

(j) Govern special visits;

(k) Provide for juvenile access to the telephone to make and receive personal calls, within the limits of the orderly operation of the facility;

(l) Provide for the forwarding of first-class letters and packages after transfer or release; and

(m) Govern juvenile access to publications. (26 Ky.R. 1296; Am. 1553; eff. 2-14-2000.)